

DISTRICT OF NEVADA

INTERNATIONAL MARKETS LIVE INC.,
a New York corporation dba
iMARKETSLIVE,

Plaintiff

V.

BLUE CAPITAL FX, LLC an Arizona
limited liability company; KEN IBIZUGBE,
an individual; HEATHER LOPEZ, an
individual; NATE BARNES, an individual,

Defendants

Case No.: 2:18-cv-01591-APG-PAL

Order Denying Ex Parte Temporary Restraining Order and Setting Hearing

[ECF No. 7]

Plaintiff International Markets Live, Inc. (IML) filed an emergency motion for an ex parte temporary restraining order and preliminary injunction. ECF No. 7.

As IML notes in its motion, Federal Rule of Civil Procedure 65(b)(1)(B) requires the attorney for the party moving for an ex parte TRO to certify “in writing any efforts made to give notice and the reasons why it should not be required.” Local Rule 7-4 requires a similar declaration. IML’s motion does not include that declaration. And I see nothing in the motion to justify entering relief without notice to the defendants. Therefore, I will not enter a TRO on an ex parte basis.

IML must immediately serve on the defendants all of the papers filed in this case. I will conduct a hearing on the motion after the passage of sufficient time for both service and the defendants to retain counsel and prepare for the hearing.

1 IT IS THEREFORE ORDERED that plaintiff IML shall immediately serve on the
2 defendants all papers filed in this case, including this order. IML shall file a certificate
3 confirming service of those documents on the defendants.

4 IS FURTHER ORDERED that the court will conduct a hearing on the plaintiff's motion
5 for temporary restraining order on Thursday, September 13, 2018 at 9:30 a.m. in Las Vegas
6 Courtroom 6C, provided IML has properly and timely served the documents required in this
7 order.

8 DATED this 5th day of September, 2018.

9
10 

11 ANDREW P. GORDON
12 UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23